

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

H. BRUCE BOAL and SCOTT LEE BOAL
A Partnership d/b/a BOALEECO,

Plaintiffs,

v.

FLEETBOSTON FINANCIAL CORPORATION
(f/k/a Fleet National Bank),

Defendant.

Civil Action No. 04-12634-NG

**ORDER DENYING PLAINTIFFS' MOTION
FOR TEMPORARY RESTRAINING ORDER**

Upon consideration of plaintiffs' Motion for Temporary Restraining Order and/or for a Preliminary Injunction [Docket No. 3], defendant's Opposition thereto and all supporting papers, as well as oral argument by counsel for the parties held on January 19, 2005, it is HEREBY ORDERED THAT:

- (1) Plaintiffs' Motion for Temporary Restraining Order and/or for a Preliminary Injunction is DENIED;
- (2) The Order entered by the Essex County, Massachusetts Superior Court dated December 13, 2004 granting a Temporary Restraining Order in this action (Welch, J.), prior to its removal to this Court, is DISSOLVED; and
- (3) Counsel for the Parties are to confer and jointly submit a proposed Rule 16 pretrial and discovery schedule for this action on or before January 26, 2005.

Dated at Boston, Massachusetts this ___ day of January, 2005.

Hon. Nancy Gertner, United States District Judge

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